IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

Bail Appl..No. 1413 of 2007()

C.R.NO.1/07 OF KATTAKADA EXCISE RANGE

: PETITIONER/ACCUSED NO.3

RAJESH, S/O. REGHUNADAN,
THADATHARIKATH PUTHEN VEEDU, THALAIKONAM,
KURITHUMKODE, KATTAKADA.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1413 OF 2007 B

Dated this the 9th day of March, 2007

O R D E R

The petitioner, who is the 3rd accused in C.R.No.1/2007 of Kattakada Excise Range for an offence punishable under section 55(g) of the Abkari Act for allegedly having been found in joint possession along with accused Nos.1, 2 and 4 of 150 litres of wash and utensils and other apparatus for brewing arrack on 3.1.2007 in a house, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer namely, Excise Inspector, Kattakada for the purpose of interrogation and then have his application for regular bail considered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Excise Inspector, Kattakada on any day between 14.3.2007 and 16.3.2007 for the purpose of interrogation. The petitioner shall, thereafter, be produced on the same day before the concerned Magistrate, who shall consider and dispose of the application, if any, filed by the petitioner for regular bail, preferably on the same date on which it is filed, bearing in mind the decision of this court reported in ***Sukumari Vs. State of Kerala*** [2001 (1) KLT 22].

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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